REMARKS

Claims 58-60, 62-68, 70-78, 80-82, 84-85, 87-89 and 91 are pending in the present application. Claims 1-57 have previously been canceled and claims 61, 69, 79, 83, 86, 90 and 92 have been canceled as a result of this response. Claims 58, 63-67, 76, 80, 85, 87 and 91 have been amended as a result of this response. Applicants respectfully submit that independent claims 58, 67, 72, 76, 80, 85, 87 and 91 and dependent claims 59-60, 62-66, 68, 70-71, 73-75, 77-78, 81-82, 84 and 88-89 stand in condition for allowance. No new claims have been added.

I. Allowable Subject matter

Applicants appreciate the Examiner's indication that claims 72-75 are allowed over prior art made of record.

Applicants also appreciate the Examiner's indication that claims 61-62, 68-70, 79, 83, 84, 86, 90 and 92 which are objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 61 was incorporated into claim 58, claim 69 was incorporated into claim 67, claim 79 was incorporated into claim 76, claim 83 was incorporated into claim 80, claim 86 was incorporated into claim 85, claim 90 was incorporated into claim 87 and claim 92 was incorporated into claim 91. Independent claims 58, 67, 76, 80, 85, 87 and 91 should be in condition for allowance. In addition, Applicants submit that claims 59-60, 62-66, 68, 70-71, 77-78, 81-82, 84 and 88-89 are allowable at least by virtue of their dependency on claims 58, 67, 76, 80 and 87.

Applicants respectfully submit in view of the amendments recited in this response, all pending claims are in condition for allowance.

II. Claim Rejections Under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 63 and 64 under 35 U.S.C. § 112, second paragraph, as having insufficient antecedent basis. Claims 63-66 have been amended to provide sufficient antecedent basis. These rejections are respectfully traversed.

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III. Claim Rejections Under 35 U.S.C. § 102(b) or in the alternative § 103(a)

The Examiner has rejected claims 58-60, 64, 67, 71, 76-78, 80-82, 85, 87-89 and 91 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Redi (U.S. 6,556,582 B1). This rejection is respectfully traversed.

Independent claims 58, 67, 76, 80, 85, 87 and 91 have been amended to include a dependent claim that was objected to as being dependent upon a rejected base claim and would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Redi describes a system and method for collision avoidance in mobile multi-hop packet radio networks and, more particularly, to improved techniques for multiple access collision avoidance (MACA) in mobile multi-hop packet radio networks (column 1, lines 7–10). Redi discloses a system that sends a Not-Clear-to-Send (NCTS) control packet from an intended destination node to a sending node in response to a RTS packet (column 4, lines 41-44). In addition, Redi describes a priority status that is used to determine if a packet is an allowable priority status (column 7, lines 4-6).

The present invention describes a system and method that relates to a communication method for a digital radio communication system adopting carrier sense multiple access (CSMA) and more specifically to a communication method capable of avoiding a collision of wireless packets due to the influence of a hidden terminal (Specification, page 1 lines 6-12). The present invention describes a system that when a particular radio terminal (or base terminal) is in the transmission-suspended state, no Clear-to-Send (CTS) is sent in response to a request-to-send (RTS), in addition after the transmission-suspended state has elapsed, the radio terminal (or base terminal) transmits a Ready-to-Receive (RTR) frame (Specification, page 5 lines 2-15). The present invention discloses a system that when the base station (or radio terminal) does not receive a clear-to-send (CTS) frame from the radio terminal due to a suspension of the transmission, and when there is another data frame to be transmitted to another radio terminal (or base station), the base station (or radio terminal) performs a communication with the another

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radio terminal (or base station) in priority to a communication with the radio terminal (or base station) (Figures 5 and 6, Specification, page 8, lines 14-28, and claims 58, 76, 80 and 87). The present invention also discusses a system that may transmit the RTR frame to request the radio terminal (or base station) having the highest priority level to retransmit the DATA frame, which could not be received, when the base station (or radio terminal) is turned to the transmission enabled state (Specification page 27, lines 6-17).

Redi fails to teach or suggest a communication method or a base station comprising, RTS-transmitting including the base station transmitting "a request-to-send (RTS) frame to the radio terminal during a transmission-suspend-period in which the radio terminal suspends transmission to prevent the collision of packets" and "when the base station does not receive a clear-to-send (CTS) frame from the radio terminal due to a suspension of the transmission, and when there is another data frame to be transmitted to another radio terminal, the base station performs a communication with the another radio terminal in priority to a communication with the radio terminal" (claims 58 and 76). Also, Redi fails to teach or suggest "the radio terminal extends the transmission-suspend-period based on a usage period for which the another radio terminal uses a channel" (claim 58). Similarly, Redi fails to teach or suggest a communication method comprising "RTS-transmitting including the radio terminal transmitting a request-to-send (RTS) frame to the base station during a transmission-suspend-period in which the base station suspends transmission to prevent the collision of packets or due to an interference" and "wherein and when the radio terminal does not receive a clear-to-send (CTS) frame from the base station due to a suspension of the transmission, and when there is another data frame to be transmitted to another base station or to another radio terminal, the radio terminal performs a communication with the another base station or with the another radio terminal in priority to a communication with the base station, the base station extends the transmission-suspend-period based on a usage period for which the another base station or the another radio terminal uses a channel" (claim 80). In addition, Redi fails to teach or suggest a communication method comprising "transmitting including the second base station transmitting a frame for communication between base stations to the first base station during a transmission-suspend-

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period in which the first base station suspends transmission to prevent the collision of packets or due to an interference" and "wherein when the second base station does not receive a response to the frame for communication between base stations from the first base station due to a suspension of the transmission, and when there is another data frame to be transmitted to a third base station or to the radio terminal, the second base station performs a communication with the third base station or with the radio terminal in priority to a communication with the first base station, the first base station extends the transmission-suspend-period based on a usage period for which the third base station or the radio terminal uses a channel" (claim 87).

Redi fails to teach or disclose a radio terminal comprising "an RTR-transmitting unit that transmits a request-to-receive (RTR) frame to the base station after the transmission-suspend-period has elapsed wherein when the RTS-receiving unit receives a plurality of RTS frames from a plurality of base stations or from a plurality of other radio terminals during the transmission-suspend-period, the RTR-transmitting unit transmits the RTR frame to the base stations or to the other radio terminals sequentially in descending order of priority" (claim 67). Similarly, Redi fails to teach or disclose a base station comprising an RTR-transmitting unit that transmits "a request-to-receive (RTR) frame to the radio terminal after the transmission-suspend-period has elapsed wherein when the RTS-receiving unit receives a plurality of RTS frames from a plurality of other base stations or from a plurality of radio terminals during the transmission-suspend-period, the RTR-transmitting unit transmits the RTR frame to the other base stations or to the radio terminals sequentially in descending order of priority" (claim 85). In addition, Redi fails to teach or disclose a base station comprising a transmitting unit that transmits "a request-to-receive (RTR) frame to the another base station after the transmission-suspend-period has elapsed wherein when the receiving unit receives a plurality of frames for communication between base stations from a plurality of other base stations during the transmission-suspend-period, the transmitting unit transmits the RTR frame to the other base stations sequentially in descending order of priority" (claim 91).

Accordingly, for at least these reasons, independent claims 58, 67, 72, 76, 80, 85, 87 and 91 should be in condition for allowance. In addition, Applicants submit that claims 59-60, 62-

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66, 68, 70-71, 73-75, 77-78, 81-82, 84 and 88-89 are allowable at least by virtue of their dependency on claims 58, 67, 76, 80 and 87. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.
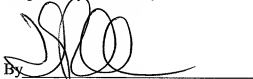

IV. Conclusion

All matters having been addressed in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicants' undersigned representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains an issue in which the Examiner feels would be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account No. 02-2448. The Commissioner for Patents is also authorized to credit any overpayments to the above-referenced deposit account.

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Respectfully submitted,

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